

TOWN OF EDGEWOOD
RESOLUTION No. 2004-15

A Resolution approving a Public Rights of Way, Letter of Understanding with Comcast of New Mexico, Inc.

WHEREAS, the Town of Edgewood on the 4th day of August, 2004 approved a Public Rights of Way authorization letter with Comcast of New Mexico Inc.; and

WHEREAS, said authorization provides that Comcast of New Mexico Inc. can utilize the public rights of way in and around the Town; and

WHEREAS, Comcast of New Mexico Inc, has been providing Cable Communication Services to residents of the Town of Edgewood; and

WHEREAS, the parties wish to enter into a new non-exclusive agreement.

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWN OF EDGEWOOD, as follows:

1. That the Public Rights of Way, Letter of Understanding, dated August 4, 2004 attached hereto be and hereby is approved, and The Mayor and Town Clerk are herby authorized to execute said Letter of Agreement on behalf of the Town of Edgewood.

PASSED, APPROVED and ADOPTED by the governing body at its meeting of

August 4th, 2004.

ATTEST:

Karen Alaric

Town Clerk

Robert Stearly

Mayor Robert Stearly





Comcast Cable Communications, Inc.
4611 Montbel Place N.E.
Albuquerque, NM 87107
505.761.6200 Tel
505.761.6273 Fax

August 4, 2004

Honorable Robert Stearly, Mayor
Town of Edgewood
C/o Town Clerk
P.O. Box 3610
Edgewood, N.M. 87015

Re: Public Rights of Way

Dear Mayor Stearly:

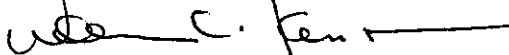
This letter sets forth the understanding between Comcast of New Mexico Inc. ("Comcast") and the Town of Edgewood ("Edgewood" or "the Town") concerning the provision of cable television and communication services ("Services") by Comcast to residents of the Town and any additions thereto, by annexation or other legal means.

Edgewood hereby agrees to authorize Comcast to utilize the public rights of way in and around the Town, in order to construct, operate, maintain, upgrade, repair and remove, if necessary, its cable communications distribution system solely for the purpose of providing services within the present legal boundaries of the Town, future additions and all developments within its boundaries. The authorization provided by Edgewood shall be effective as of the date of acknowledgment of this letter by Edgewood and shall extend for such period of time as Comcast provides Services to the Town of Edgewood, or until such time as Comcast and Edgewood adopt a mutually agreed upon franchise agreement.

Nothing in this letter of understanding shall be construed as requiring Comcast to provide Service to any other portion of Edgewood that is not currently being served.

If this letter accurately reflects your understanding, kindly sign this letter on behalf of the Town of Edgewood in the space provided below and return the same to my attention at your earliest convenience.

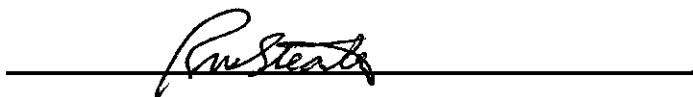
Very truly yours,



William C. Kent
Southwest Area Vice President

Acknowledged, agreed and approved this

4th day of August, 2004.



Robert Stearley, Mayor